

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

LARRY SPENCER,

Petitioner,

v.

STATE OF WISCONSIN, STUART
SCHWARTZ and NEW LISBON
CORRECTIONAL INSTITUTION,

Respondents.

ORDER

08-cv-017-bbc

In this closed case, petitioner has filed a second request that he be excused from paying the remainder of the \$350 fee for filing his complaint. Petitioner's request will be denied for the reasons expressed in the April 14, 2008 order.

It appears also that petitioner is asking this court to appoint counsel to help him reopen his case. I will deny petitioner's request for two reasons. First, it is not the court's practice to appoint counsel outside the context of a pending lawsuit. Second, even if I could find a lawyer to assist petitioner, this case could not be reopened. As I have explained to petitioner already, this court lacks subject matter jurisdiction over his claims.

ORDER

IT IS ORDERED that petitioner's second request that he be excused from paying the remainder of the filing fee in this case is DENIED.

Further, IT IS ORDERED that petitioner's request for appointment of counsel is DENIED.

Entered this 23rd day of April, 2008.

BY THE COURT:

/s/

BARBARA B. CRABB
District Judge